

JAP:UAD

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

M-11-415

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UNITED STATES OF AMERICA

- against -

SCOTT MARGOLIS,

Defendant.

AFFIDAVIT AND COMPLAINT
IN SUPPORT OF AN ARREST
WARRANT

M. No. _____
(18 U.S.C. § 2252(a)(2))

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EASTERN DISTRICT OF NEW YORK, SS.:

EMILY BOURNE, being duly sworn, deposes and says that she is a Special Agent with the Department of Homeland Security, Homeland Security Investigations ("HSI"), duly appointed according to law and acting as such.

In or about and between 1992 and April 2011, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant SCOTT MARGOLIS did knowingly receive and distribute any visual depiction, the production of such visual depiction having involved the use of one or more minors engaging in sexually explicit conduct and such visual depiction was of such conduct, using any means or facility of interstate or foreign commerce or that has been mailed, or has been shipped or transported in or affecting interstate or foreign commerce or which contains materials which have been mailed or so shipped or transported, by any means including by computer.

(Title 18, United States Code, Section 2252(a)(2)).

The source of my information and the grounds for my belief are as follows:¹

1. I have been employed as a federal agent since 2007 and am currently assigned to the New York Office, Child Exploitation Group ("CEG"). I have gained expertise in this area through training in classes and daily work related to conducting these types of investigations. As part of my responsibilities, I have been involved in the investigation of numerous child pornography cases and have reviewed thousands of photographs depicting children (less than eighteen years of age) being sexually exploited by adults.

2. I am familiar with the information contained in this affidavit based on my own personal participation in the investigation, my review of documents, my training and experience, and discussions I have had with other law enforcement personnel concerning the creation, distribution, and proliferation of child pornography. Additionally, statements attributable to individuals herein are set forth in sum and substance and in part.

3. On March 4, 2010, your Affiant was investigating computers with New York IP addresses that were or had been sharing child pornography on the Internet. Your Affiant was looking for the offenders actively sharing child pornography within New York State using a law enforcement database that records publicly

¹ Because the purpose of this complaint is merely to establish probable cause to arrest, I have not set forth all of the facts and circumstances concerning this investigation of which I am aware.

broadcast information pertaining to certain file-sharing networks frequently used to send and receive child pornography.

4. Your affiant utilizes that law enforcement database and identified IP addresses 173.68.62.153 and 98.116.11.151 as a user that has been observed connected to the Internet and sharing images related to child pornography.

5. On January 4, 2011 and March 22, 2011, your Affiant issued summonses to Verizon Internet Services for account information related to IP addresses 173.68.62.153 and 98.116.11.151. Verizon Internet Services responded and identified the account using IP addresses 173.68.62.153 and 98.116.11.151 at the specific dates and times requested as belonging to the defendant SCOTT MARGOLIS, who resides in Staten Island, New York.

6. On March 31, 2011, the Honorable Marilyn D. Go, U.S. Magistrate Judge in the Eastern District of New York, signed a search warrant for the residence of the defendant SCOTT MARGOLIS authorizing agents to search and seize evidence or fruits or instrumentalities of the possession, transportation, receipt, distribution and reproduction of sexually explicit material relating to children, in violation of Title 18 United States Code, Sections 2252 and 2252A.

7. On or about April 6, 2011, your Affiant and other agents executed the search warrant for the defendant SCOTT MARGOLIS' residence. Within that residence, agents found numerous pieces of electronic equipment, including five computers. A preliminary forensic examination of those computers revealed

numerous videos of child pornography. Among those images and videos were the following:

- a) (Pthc) - Kylie Freeman (Vicky) - Pedofilia Part1 - Suck.mpg is a video file approximately 2:08 minutes in length depicting a naked young girl, performing oral sex on an adult male penis. The male is laying on his back with his legs spread and the child is laying between his legs. The child gets up and moves to the position of laying along side the male with her head near his penis. The male then begins to masturbate in the direction of the child's open mouth. The male ejaculates into the child's mouth and she again begins to perform oral sex on him.
- b) pthc Stephanie 3yo having a REAL timeout - Stress relieved with very loving daddy _!!_.mpg is a video file approximately 01:05 minutes in length depicting a naked female infant lying on her back with her legs spread open by an adult male. The adult male forces his erect penis into the infant's vagina. The male ejaculates on the infant's abdomen.
- c) PTHC - beauty-cumshot 3yo THIS ROCKS pedo child toddler incest 2yo 4yo 5yo 6yo 7yo 8yo babyj vicky laura jenny sofie fdsa hussyfan russian kor.mpg is a video file approximately 06:37

depicting a naked female toddler laying on a white sheet with a diaper next to her. A naked adult male approaches the naked little girl and begins to rub his erect penis on her genital area. At several points in the video, the little girl places her mouth on the adult male's erect penis. The male turns the little girl over onto her stomach and places his erect penis between her legs and places his face between the little girl's buttocks and his profile is visible. The movie ends with the male ejaculating on the little girl's genital and thigh area.

8. On or about April 6, 2011, I interviewed the defendant SCOTT MARGOLIS. During the course of that interview, he admitted in sum, substance and part that the computers seized from his residence belong to him and that he had knowingly downloaded images and video files depicting child pornography from the Internet since 1992 and had retained those files.

WHEREFORE, your affiant respectfully requests that the Court issue an arrest warrant for the defendant SCOTT MARGOLIS so that he may be dealt with according to law.



Emily Bourne
Special Agent
Homeland Security Investigations

Sworn to before me this
19th day of April, 2011

THE HONORABLE VIKTOR V. POHORELSKY
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK